

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yuichiro SUGIYAMA

Group Art Unit: 1796

Application No.: 10/566,187

Examiner: H. HU

Filed: April 10, 2006

Docket No.: 127638

For: MONOMER COMPOUND, GRAFT COPOLYMER COMPOUND, PRODUCTION
METHOD THEREOF, POLYMER ELECTROLYTE MEMBRANE, AND FUEL CELL

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 10, 2009, Restriction Requirement, Applicant provisionally elects
Group II, claims 2 and 3, with traverse.

Applicant respectfully submits that, because a formal and full search of the prior art
has not been undertaken, the Patent Office's statement that JP 2003-272665 ("Toshimitsu");
Ishihara et al., "Polystyrene-Bound Tetrafluorophenylbis(triflyl)methane as an Organic-
Solvent-Swellable and Strong Brønsted Acid Catalyst", *Angewandte Chemie*, Vol. 113, No.
21, pp. 4201-4203 (November 5, 2001) ("Chemie Article"); and EP 1,375,532 A1 ("Ishihara")
allegedly render obvious or anticipate claims 1-9 is premature. Conversely, Applicant
respectfully disagrees and submits that claims 1-9 are not obvious over or anticipated by any
of Toshimitsu, the Chemie Article and/or Ishihara. As such, Applicant further submits that
claims 1-9 represent a contribution over the prior art and respectfully requests withdrawal of
the Restriction Requirement.

It is also respectfully submitted that the subject matter of all claims 1-9 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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JAO:CAF/can

Date: July 2, 2009

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